

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CIVIL MINUTES

Date: 11/13/2025	Time: 10:06 AM - 11:17 AM; 11:37 AM - 11:45 AM (1:19)	Judge: EUMI K. LEE
Case No.: 25-cv-02073-EKL	Case Name: Solano v. Vistra Corporation	
and Case No. 25-cv-2489-EKL	Casen Name: Vitale et al v. Vistra Corporation et al	

Attorney for Plaintiff: Blair Kittle, Pierce Stanley

Attorney for Defendant: Austin Schwing, Matthew Hamann, Jeffrey Boozell

Deputy Clerk: Laura Thomson

Court Reporter: Summer Fisher

PROCEEDINGS and MINUTE ORDER

Hearing held on motions to dismiss in Case No. 5:25-cv-02073-EKL *Solano et al v. Vistra Corp. et al* (ECF Nos. 57, 73), and Case No. 5:25-cv-02489-EKL *Vitale et al v. Vistra Corp. et al* (ECF Nos. 35, 38).

The motion to dismiss filed by Defendants LG Energy Solution Arizona, Inc. and LG Energy Solution Vertech, Inc. (collectively, “LGE Defendants”) in *Solano* is GRANTED with leave to amend, based on lack of personal jurisdiction. ECF No. 73. Likewise, the LGE Defendants’ motion to dismiss the complaint in *Vitale* is GRANTED with leave to amend, due to lack of personal jurisdiction. ECF No. 38.

The motion to dismiss filed by Defendants Vistra Corp.; Vistra Corporate Services Co.; Dynegy Operating Co.; Moss Landing Power Co., LLC; Moss Landing Energy Storage 3, LLC; Luminant Power LLC; and Luminant Power Generation, LLC (collectively, “Vistra Defendants”) in *Vitale* is GRANTED with leave to amend. ECF No. 35. The economic loss doctrine bars Plaintiffs’ negligence, strict products liability, private nuisance, and trespass to real property claims because Plaintiffs fail to sufficiently allege personal injury or property damages. In addition, per the parties’ stipulation on the record, the inverse condemnation, trespass to chattels, and strict products liability claims against the Vistra Defendants are dismissed with prejudice.

The Court takes under submission the Vistra Defendants' motion to dismiss the amended complaint in *Solano*. ECF No. 57. Plaintiffs are not required to file a second amended complaint in *Solano* until this order issues. The deadline to file an amended complaint in *Vitale* will also be set upon issuance of the Court's written order regarding the Vistra Defendants' motion to dismiss in *Solano*.

IT IS SO ORDERED.

Dated: November 13, 2025

EUMI K. LEE
United States District Judge